



CITY OF FREMONT NEBRASKA

REGULAR CITY COUNCIL MEETING MINUTES July 12, 2022 - 7:00 PM City Council Chambers 400 East Military, Fremont NE

MEETING CALLED TO ORDER Following the Pledge of Allegiance, Mayor Spellerberg called the Regular Meeting to order and stated that a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas.

ROLL CALL Roll call showed Council Members Ellis, Ganem, Yerger, Sookram, Legband and Jensen present. 6 members present. Gibson & Vaughan absent.

1. Motion to adopt current agenda for the July 12, 2022 Regular Meeting. Motion made by Legband, Seconded by Sookram to move item #26 to follow the public hearings section of the agenda. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. Motion made by Jensen, Seconded by Sookram to move item #25 after item #5 and item #7 ahead of item #6. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. Motion made by Jensen, Seconded by Legband to adopt current agenda for the July 12, 2022 Regular Meeting as amended. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.

MAYOR COMMENTS

(There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

PUBLIC HEARINGS:

2. Resolution 2022-108 recommending approval of Class I liquor license application of Buck's Axe Throwing LLC. dba Buck's Axe Throwing at 550 N. Main St. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed to public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Ganem to continue the item to the next City Council meeting. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
3. Resolution 2022-109 recommending approval of Class D liquor license application of 23rd Street Petroleum, LLC dba NP Mart 16 at 1156 W. 23rd St. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed to public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Sookram to approve Resolution 2022-109 without precedent. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.

4. Resolution 2022-110 recommending approval of Class D liquor license application of Bell Street Petroleum, LLC dba NP Mart 15 at 2010 N. Bell St. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed to public hearing after receiving comments from the public. Motion made by Yerger, Seconded by Sookram to approve Resolution 2022-110 without precedent. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
5. Ordinance 5622 approving Change of Zone from SC, Suburban Commercial to AR, Auto-Urban Residential on properties generally located between Bell Street, Military Avenue, 8th Street and C Street (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed to public hearing after receiving comments from the public. Motion made by Legband, Seconded by Sookram to introduce and hold first reading of Ordinance 5622. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. City Clerk provided first reading of the Ordinance.

NEW BUSINESS: Requires individual associated action

25. Resolution 2022-120 approving Copperhead Subdivision Agreement for property generally located at the northwest corner of W. Military Ave. and Business Park Dr. Motion made by Jensen, Seconded by Legband to approve Resolution 2022-120. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.

PUBLIC HEARINGS:

7. Resolution 2022-111 approving Copperhead Final Plat consisting of 19 lots on property generally located at the northwest corner of W. Military Ave. and Business Park Drive. Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed to public hearing after receiving comments from the public. Motion made by Sookram, Seconded by Yerger to approve Resolution 2022-111. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
6. Ordinance 5623 to approve Voluntary Annexation of Copperhead Subdivision generally located at the northwest corner of W. Military Ave. and Business Park Dr. (first reading). Mayor Spellerberg opened the public hearing. Mayor Spellerberg closed to public hearing after receiving comments from the public. Motion made by Legband, Seconded by Ganem to introduce and hold first reading of the Ordinance. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. City Clerk provided first reading of the Ordinance.

NEW BUSINESS: Requires individual associated action

26. 2021 Audit Report Presentation. The 2021 Audit was presented to the Council. Motion made by Legband, Seconded by Ganem to receive the 2021 Audit Report. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately. Motion made by Legband, seconded by Sookram to approve consent agenda items 8, 10, 12-14, 18-20 & 22. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.

8. Motion to approve June 29, 2022 through July 12, 2022 claims and authorize checks to be drawn on the proper accounts
9. Receive Report of the Treasury. Motion made by Legband, Seconded by Sookram to receive the Report of the Treasury. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
10. Dispense with and approve June 28, 2022 Special Joint City Council & Regular City Council Meeting Minutes
11. Resolution 2022-112 approving Aerial Applicator Agreement with TRI Rotor and Frontier Cooperative Corp. Motion made by Yerger, Seconded by Legband to approve Resolution 2022-112. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
12. Resolution 2022-113 approving the purchase of CivicOptimize software from CivicPlus to allow customers to apply for, terminate, or transfer utility service online
13. Resolution 2022-114 approving the request of MainStreet of Fremont to close Main Street 1st Street to 6th Street for Crazy Days Sidewalk Sale on July 23, 2022
14. Motion to authorize the Mayor to sign Deeds of Reconveyance for 2020 N. Clarkson Street and 943 N. D Street for completing CDBG Loan requirements
15. Resolution 2022-115 approving the request of the Fremont Area Chamber of Commerce to use the upper level of the Kavich Parking lot, and approve the application for a Special Designated Permit. Motion made by Yerger, Seconded by Ganem to approve Resolution 2022-115. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
16. Receive Local Option Economic Development Fund (LB 840) Quarterly Report. Motion made by Yerger, Seconded by Legband to receive Local Option Economic Development Fund (LB 840) Quarterly Report. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
17. Resolution 2022-116 accepting and awarding the proposal of GovConnection, Inc. for Microsoft Enterprise Agreement True-Up. Motion made by Legband, Seconded by Ganem to approve Resolution 2022-116. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
18. Resolution 2022-117 approving the request of MainStreet of Fremont to close parking lot located at 6th and Park Ave. from Monday July 18, 2022 through Tuesday July 26, 2022 for Sand Sculptures on Main
19. Resolution 2022-118 to accept the Sourcwell Contract #060920-NVS awarding the Purchase Agreement for a 2024 CV515 4WD truck to Cornhusker International Trucks Inc
20. Resolution 2022-119 to accept the Sourcwell Contract #060920-NVS awarding the Purchase Agreement for a 2024 CV515 4WD truck to Cornhusker International Trucks Inc
21. Move to confirm appointments of Brandon Ramirez and Cody Kruse as Police Officer per Mayor recommendation. Motion made by Jensen, Seconded by Sookram to confirm appointments of Brandon Ramirez and Cody Kruse as Police Officers per Mayor

recommendation. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.

22. Motion to approve the recommendation of the Mayor to reappoint Alison Adams to the Airport Advisory Committee to a term ending June 2025

UNFINISHED BUSINESS: Requires individual associated action

23. Ordinance 5621 amending Section 6-432 Penalties of the Fremont Municipal Code (second reading). Motion made by Legband, Seconded by Sookram to amend Ordinance 5621 to reflect the updated Ordinance provided in the agenda packet. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. Motion made by Jensen, Seconded by Sookram to hold second reading of the Ordinance. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. City Clerk provided second reading of the Ordinance. Motion made by Sookram, Seconded by Jensen to suspend the rules and move to final reading of the Ordinance. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. City Clerk provided final reading of the Ordinance. Motion carried. Mayor Spellerberg called for a final vote on the Ordinance. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Ordinance approved.
24. Resolution 2022-105 to approve the Master Fee Schedule for the City of Fremont and to authorize staff to assess those fees accordingly. Motion made by Jensen, Seconded by Legband to approve Resolution 2022-105. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram Voting Nay: Yerger. Motion carried.


NEW BUSINESS: Requires individual associated action

27. Business Improvement District #1 progress report. Motion made by Jensen, seconded by Legband to receive the Business Improvement District #1 progress report. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
28. Mayor Item - Resolution 2022-121 Declaring a Public Nuisance and Causing the Demolition of residence at 1506 E. Dodge St. Motion made by Yerger, Seconded by Legband to receive findings regarding the public nuisance located at 1506 E. Dodge St, Fremont, Nebraska. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. Motion made by Sookram, Seconded by Jensen to receive affidavit of notice to the property subscribed by Steve Kunasek. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried. Motion made by Jensen, Seconded by Sookram to approve Resolution 2022-121. Voting Yea: Ellis, Ganem, Jensen, Legband, Sookram, Yerger. Motion carried.
29. Executive Session for strategy session with respect to real estate purchase and litigation update. Moved by Gibson, seconded by Legband to go into executive session to discuss strategy session with respect to real estate purchase and litigation update and for the further reason that the executive session is necessary for the protection of the public interest and asked for discussion. The Mayor stated that the pending motion was to go into executive session for strategy session with respect to real estate purchase and litigation update and for the further reason that the executive session is necessary for the protection of the public interest. Voting Yea: Ganem, Sookram, Yerger, Ellis, Legband and Jensen. Motion carried. The Mayor stated that the motion to go into executive session for discussing strategy session with respect to real estate purchase and litigation update and


for the further reason that the executive session is necessary for the protection of the public interest had been approved. Discussion will be limited to discussing strategy session with respect to real estate purchase and litigation update. No official actions or votes will be taken during the executive session. Time in: 9:11 p.m. Moved by Jensen, seconded by Sookram to come out of executive session where no official actions or votes were taken. Voting Yea: Yerger, Ellis, Legband, Sookram, Ganem and Jensen. Motion carried. Time out: 9:59 p.m.

ADJOURNMENT Motion made by Jensen, seconded by Sookram to adjourn; time: 10:00 P.M. Voting Yea: Yerger, Ellis, Legband, Ganem, Sookram and Jensen. Motion carried

APPROVED AND ACCEPTED AS THE OFFICIAL COPY OF THE FREMONT, NEBRASKA REGULAR CITY COUNCIL MEETING MINUTES FOR JULY 12, 2022.



Tyler Ficken, City Clerk



Joey Spellerberg, Mayor